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**In the Supreme Court of the
United States**

OCTOBER TERM, 1952

No. 238

NATIONAL LABOR RELATIONS BOARD, *Petitioner,*

v.

GAMBLE ENTERPRISES, INC., *Respondent.*

MOTION TO INTERVENE

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Comes now Local No. 24, American Federation of Musicians, and moves this Honorable Court for leave to intervene in the above-entitled case, in which the petition for a writ of certiorari was granted on October 13, 1952, directed to the Court of Appeals for the Sixth Circuit. In support of this motion, Local No. 24 shows as follows:

1. The sole issue in the case is whether the demand by Local No. 24 that certain of its members be hired for actual work constituted a violation of the "anti-featherbedding" provision of Section 8 (b) (6) of the Labor-Management Relations Act merely because the employer did not desire to employ them. The Labor Board agreed with Local No. 24 that no such violation was involved. The Labor Board then sought to sustain that position in the court below and now does the same before this Court. Local No. 24 is thus at the very center of the controversy as to which this Court must render a definitive opinion. Quite clearly Local No. 24 will be most directly bound by the judgment that is ultimately entered by this Court. A decision adverse to its interest would result in the entry of cease and desist order against it, with all the attendant court sanctions.

2. The issue posed by this case is of critical importance

to Local No. 24 in particular and to the American Federation of Musicians in general because of the acute unemployment among professional musicians. At the present time, these organizations have no more fundamental task than seeking additional employment opportunities for their members.

3. The court below, as revealed in the headnote to its opinion and in the list of attorneys appearing before it (196 F. 2d 61), recognized the very real interest of Local No. 24 and permitted it to intervene in the proceedings before it and participate in the oral argument.

4. Intervention in the proceedings before this Court will not unduly delay or prejudice the adjudication of the case. On the contrary, Local No. 24 desires to bring to this Court's attention only those matters which would not otherwise be submitted to it and which might contribute materially to the Court's appreciation of the issue raised in the case.

Respectfully submitted,

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